

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

GROUP: 1645

Katsumi AOYAGI, et al

EXAMINER: ZEMAN, Robert A.

SERIAL NO.: 09/269,897

FILED: April 2, 1999

FOR: METHODS FOR DETECTION OR MEASUREMENT OF VIRUSES

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

This is in response to the outstanding Office Communication dated December 31, 2003. Applicant respectfully requests an extension of time for responding to the Notice, until June 30, 2004. All necessary fees in connection with this matter should be deducted from Deposit Account No. 01-1944.

Please amend the application as follows:

FEE VALUE ACCOUNT NUMBER	
DEPOSIT ACCOUNT NO.	
01	1944
FEE CODE	VALUE IN DOLLARS
1253	950.

07/21/2004 GDUCKETT 00000008 011944 09269897
Sale Ref: 00000008 DAW: 011944 09269897
01 FC:1253 950.00 DA


identical to that in the step (3). In addition, the endogenous antibodies inactivated in the step (1) are polyclinic antibodies. On the other hand the probe antibody in the step (3) is a monoclonal antibody. Therefore, the endogenous antibodies are inactivated in the step (1) with the non-diluted treating solution, while the monoclonal antibody in the step (3) is not inactivated with diluted treating solution.

Accordingly, based on the amendments to the claims, the rejection of claims 4, 11, 34, 37-38 and 41 under 35 USC 112, first paragraph, should now be withdrawn. The same is true for the rejection of the claims under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this regard, claims 4, 34 and 38 have been amended to depend properly from a parent claim.

Should the Examiner still find the claims to be indefinite, the Examiner is requested to telephone applicant to facilitate a further amendment without the necessity for nit-picking the interpretation of wording in the claims.

Reconsideration and allowance of claims 4, 11, 34, 37-38 and 41 is respectfully solicited.

Respectfully submitted,


Eugene Lieberstein
Reg. No. 24,645

ANDERSON, KILL & OLICK
1251 Avenue of the Americas
New York, New York 10020-1182
(212) 278-1000

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 30, 2004.



Date: June 30, 2004